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Rev. 10/95  U.S. Department of Comme Patent and Trademark Of		plication Number	09/818,199		
	Fili	ng Date	March 26, 20	01	
TRANSMITTAL FORM	Fir	st Named Inventor	Steven W. Meeks		
(to be used for all correspondence during pendency filed application)	of Gr	oup Art Unit Number	2877		
	Ex	aminer Name	Not Yet Knov	vn	
Total Number of Pages in This Submission 5*	Att	orney Docket Number	20830-05727		
ENCLOSUR	ES (c	heck all that apply	/)		
☐ Fee Transmittal Form (in duplicate) ☐ Check Enclosed ☐ Return Receipt Postcard ☐ Response to Notice to File Missing Parts ☐ Assignment & Recordation Cover Sheet ☐ Declaration ☐ Power of Attorney ☐ Application Data Sheet ☐ Information Disclosure Statement & PTO-1449 ☐ Copies of IDS Cited Reference ☐ Request for Corrected Filing Receipt ☐ Request for Correction of Recorded Assignment ☐ Amendment/Response: ☐ Page(s) ☐ After Final ☐ Status Request ☐ Revocation and Substitute Power of Attorney ☐ REMARKS: *total number of pages does not include	nt	Appeal Commun Interferences Appeal Commun (Appeal Notice, Certified Copy of After Allowance	raftsperson s): s) of Figure(s) [ ilication to Board sication to Group Brief, Reply Brief F Priority Documents	d of Appeals and perf) ef)	
CIONATURE	OF AT	TORNEY OR ACEI	VIT		
Signature: Nath S. /	/ L	TORNEY OR AGE	ia i		
Attorney/Reg. No.: Nathan S. Huynh/Reg. No. 53	3,052		Dated:	August 28, 2003	
CEDT	IEICATI	OF MAILING			
CERTIFICATE OF MAILING  I hereby certify that this correspondence, including the enclosures identified above, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on the date shown below. If the Express Mail Mailing Number is filled in below, then this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service pursuant to 37 CFR 1.10.					
Signature: Nath S.	14	l			
Typed or Printed Name: Nathan S. Huynh			Dated:	August 28, 2003	
Express Mail Mailing Number (optional):					



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS:

Steven W. Meeks et al.

APPLICATION NO.:

09/818,199

FILING DATE:

March 26, 2001

TITLE:

Combined High Speed Optical Profilometer And Ellipsometer

**EXAMINER:** 

Not Yet Known

**GROUP ART UNIT:** 

2877

ATTY. DKT. NO.:

20830-05727

## **CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, Washington, D.C. 20231, on the date shown below:

Dated:

8/28/03

By:

Nathan S. Huynh, Reg. No. 53,052

COMMISSIONER FOR PATENTS WASHINGTON, DC. 20231

## INFORMATION DISCLOSURE STATEMENT Under 37 CFR §§ 1.56 and 1.97-98

SIR:

Pursuant to the provisions of 37 CFR §§ 1.56 and 1.97-98, enclosed herewith is modified form PTO-1449 listing references for consideration by the Examiner. A copy is enclosed herewith of each listed reference which may be material to the examination of this application, and with respect to which there may be a duty to disclose.

The filing of this Information Disclosure Statement shall not be construed as a representation regarding the completeness of the list of references, or that inclusion of a reference in this list is an admission that it is prior art or is pertinent to this application, or that a search has been made, or as an admission that the information listed is, or may be considered to be, material to patentability, or that no other material information exists, and shall not be construed as an admission against interest in any manner.

This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior
application Serial No. [SERIAL NUMBER], filed on [FILING DATE], and the
references cited therein are hereby referenced, but are not required to be provided
in this application under 37 CFR § 1.98(d).

he Inf	ormat	ion Dis	closure	Statement submitted herewith is being filed:			
	$\boxtimes$	within	three n	nonths of the filing date of the application, or date of entry			
		into th	e natior	nal stage of an international application, or before the mailing			
		date of	f a first	official action on the merits, whichever event last occurred;			
		OR					
		before	the ma	iling of a first official action after the filing of a request for			
		contin	ued exa	mination (RCE) under 37 CFR § 1.114;			
		after th	ree mo	onths of the filing date of this national application or the date			
		of entr	y of the	e national stage in an international application, or after the			
		mailin	g date c	of the first official action on the merits, whichever event last			
			_	before the mailing date of the first to occur of either:			
		(1)		al action under 37 CFR §1.113; OR			
		(2)		ice of allowance under 37 CFR §1.311; AND			
				ned hereto is the fee of \$180, as set forth under 37 CFR			
				(p), for submission of this Information Disclosure Statement			
		-	: 37 CFR.§ 1.97(c); OR				
			Appli	icant certifies pursuant to 37 CFR § 1.97(e) that:			
				each item of information contained in this Information			
				Disclosure Statement was cited in a communication from a			
				foreign patent office in a counterpart foreign application not			
				more than three months prior to the filing of this Statement;			
				OR			
				no item of information contained in this Information			
				Disclosure Statement was cited in a communication from a			
				foreign patent office in a counterpart foreign application or,			
				to the knowledge of the person signing this certification			
				after making reasonable inquiry, was known to any			
				individual designated under 37 CFR § 1.56(c) more than			
				three months prior to the filing of this Statement.			
		OR					
		before	e the pa	syment of the issue fee but after the mailing date of the first to			
		occur of either:					
		[1]	a fina	al action under 37 CFR § 1.113; OR			
		[2] a notice of allowance under 37 CFR § 1.311; AND					
			in accordance with the requirements of 37 CFR § 1.97(d):				
			Appli	icant certifies pursuant to 37 CFR. § 1.97(e) that:			

		each item of information contained in this Information		
		Disclosure Statement was cited in a communication from a		
		foreign patent office in a counterpart foreign application not		
		more than three months prior to the filing of this Statement;		
		OR		
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		Disclosure Statement was cited in a communication from a		
		foreign patent office in a counterpart foreign application or,		
		to the knowledge of the person signing this certification		
		after making reasonable inquiry, was known to any		
		individual designated under 37 CFR § 1.56(c) more than		
		three months prior to the filing of this Statement; AND		
	Applic	ant hereby respectfully petitions for the consideration of		
<del></del>	the accompanying Information Disclosure Statement under 37 CFR			
	§ 1.97(d)(2); AND			
	U	ant submits the petition fee of \$180 as set forth in 37 CFR §		
_	1.17(p			
☐ Each item of	informa	tion contained in this Information Disclosure Statement was		
cited in a communication from	m a fore	eign patent office in a counterpart application, and the		
		any individual designated in 37 CFR § 1.56(c) more than		
		nformation Disclosure Statement. 37 CFR § 1.704(d).		
	mits tha	at no fee is required for the consideration of the		
accompanying Information l				
1 7 0				
Consideration of the	listed re	ferences and favorable action are solicited.		
		Respectfully submitted,		
		STEVEN W. MEEKS ET AL.		
		7. 4 2 11		
Dated: 8/28/03		By: Nath S. H		
/ /		Nathan S. Huynh/Reg. No. 53,052		
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Approved for use through 10/31/2002. OMB 0551-0031
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Substitute for form 1449A/PTO Complete if Known Applicati n N . 09/818,199 INFORMATION DISCLOSURE Filing Date March 26, 2001 STATEMENT BY APPLICANT First Named Inventor Steven W. Meeks Art Unit 2877 **Examiner Name** Not Yet Known of Attorney Docket Number 20832-05727 Sheet

	U.S. PATENT DOCUMENTS				
		Document No.			
Examiner Initials*	Cite No.1	Number – Kind Code <sup>2</sup> (if known)	Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	
	A1	US 5,189,481	02/23/1993	Jann et al.	
	A2	US 5,416,594	05/16/1995	Gross et al.	
	A3	US 5,798,829	08/25/1998	Vaez-Iravani	
	A4	US 5,903,342	05/11/1999	Yatsugake et al.	
	A5	US 6,091,493	07/18/2000	Stover et al.	
	A6	US 6,201,601B1	03/13/2001	Vaez-Iravani et al.	
	A7	US 6,271,916B1	08/07/2001	Marxer et al.	
	A8	US 6,384,910B2	05/07/2002	Vaez-Iravani et al.	

FOREIGN PATENT DOCUMENTS					
-		Foreign Patent Document			
Examiner Initials*	Cite No. <sup>1</sup>	Country Code <sup>3</sup> – Number <sup>4</sup> Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	T <sup>6</sup>

No.¹ journal, serial, symposium, catalog, etc.), date, p	s), volume-issue number(s), publisher, city and/or country where published

Examiner	Date		-
Signature	Considered		

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609.

Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>&</sup>lt;sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.